

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

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|---------------------------------|---|---------------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| V. | § | SA-22-CR-579-XR(1) |
| | § | |
| MOISES JAEKOB VARGAS | § | |

**DEFENDANT’S UNOPPOSED MOTION FOR CONTINUANCE OF
SENTENCING HEARING**

TO THE HONORABLE UNITED STATES DISTRICT XAVIER RODRIGUEZ:

NOW COMES Counsel for Defendant and respectfully moves this Honorable Court to continue the Sentencing Hearing of July 5, 2023, to approximately one month later. In support of his motion and accordance with Rule 47 of the Federal Rules of Criminal Procedure, Defense Counsel states the following:

I.

Counsel currently has a family vacation planned that conflicts with the July 5, 2023 date.

II.

Counsel does not make this motion for the purpose of delay but so that the ends of justice may be served, and realizes that any continuance granted by this Honorable Court will be excluded for the purposes of Speedy Trial calculations. 18 U.S.C. § 316(h)(8)(A).

III.

Counsel for Defendant has discussed this matter with opposing counsel, Assistant U.S. Attorney Tracy Thompson, and she has indicated no opposition to the granting of this Motion.

IV.

Counsel asks that the case not be reset for any of the following dates as he already has other significant court settings and/or commitments on: July 17, 27, 28 & August 4, 2023.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully request this Honorable Court continue the Sentencing Hearing.

Respectfully submitted.

THE GORDON LAW FIRM, P.C.

/s/_____
STEPHEN H. GORDON
State Bar No. 24007252
5820 IH-10 West, Suite 400
San Antonio, Texas 78201
PH. (210) 531-9700
FX. (210) 732-0158
Attorney for Defendant

CERTIFICATE OF SERVICE

I certify that on May 26, 2023, a true and correct copy of the foregoing pleading was electronically filed with the Clerk of the Court using the CM/ECF System, which will transmit notification of such filing to the following CM/ECF participant: Assistant U.S. Tracy Thompson.

/s/_____
STEPHEN H. GORDON
Attorney for Defendant

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ORDER GRANTING CONTINUANCE

On this date came on to be considered by the Court Defendant's Unopposed Motion for Continuance of Sentencing Hearing.

The Court, after considering same, is of the opinion that such Motion is well taken and should be GRANTED.

IT IS THEREFORE ORDERED that the Sentencing is reset for _____
at _____. M.

The clerk of court shall send a copy of this to Order to the United States Attorney, the attorney for the Defendant, and the Pretrial Services officer. Counsel for Defendant shall notify Defendant of this setting and, if a Defendant is on bond, advise the Defendant that he must be present for all court settings unless excused by the Court.

SO ORDERED this _____ day of _____, 2023.

United States District Judge Xavier Rodriguez